

0010/PTO Rev. 6/95	U.S. Department of Commerce Patent and Trademark Office		Attorney Docket Number	18864-04962US
		First Named Inventor	Robert J. Bernardi	
<i>COMPLETE IF KNOWN</i>				
		Application Number	Not yet known	
		Filing Date	May 11, 2001	
		Group Art Unit	Not yet known	
<input checked="" type="checkbox"/> Declaration Submitted with Initial Filing		OR	<input type="checkbox"/> Declaration Submitted after Initial Filing	
			Examiner Name	Not yet known

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**AUTO-ADJUST NOISE CANCELING MICROPHONE WITH POSITION SENSOR**

the specification of which *(Title of the Invention)*

is attached hereto

OR

was filed on (MM/DD/YYYY) [ ] as United States Application Number or PCT International Application Number [ ] and was amended on (MM/DD/YYYY) [ ] (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations. § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 (a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental sheet attached hereto.
60/203,218	May 11, 2000	

**DECLARATION****Page 2**

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet attached hereto.

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Name	Registration Number	Name	Registration Number
David L. Hayes Robert R. Sachs	34,838 42,120	Michael V. North Martin S.C. Loui	46,963 43,411

Additional attorney(s) and/or agent(s) named on a supplemental sheet attached hereto.

Please direct all correspondence to:

Martin S.C. Loui  
Fenwick & West LLP  
Two Palo Alto Square  
Palo Alto, CA 94306  
U.S.A.

Telephone (650) 858-7901      Fax (650) 494-1417

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>Name of Sole or First Inventor:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name	Robert	Middle Initial	J.	Family Name	Bernardi			Suffix	
Inventor's Signature						Date			
Residence: City			State		Country			Citizenship	
Mailing Address									
Mailing Address									
City			State		Zip			Country	

Additional inventors are being named on supplemental sheet(s) attached hereto

DECLARATION					ADDITIONAL INVENTOR(S) Supplemental Sheet			
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name	Steven		Middle Initial	F	Family Name	Burson		Suffix
Inventor's Signature						Date		
Residence: City			State		Country			Citizenship
Mailing Address								
Mailing Address								
City			State		Zip			Country
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name	Lawrence		Middle Initial		Family Name	Gollbach		Suffix
Inventor's Signature						Date		
Residence: City			State		Country			Citizenship
Mailing Address								
Mailing Address								
City			State		Zip			Country
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name	Allen		Middle Initial		Family Name	Woo		Suffix
Inventor's Signature						Date		
Residence: City			State		Country			Citizenship
Mailing Address								
Mailing Address								
City			State		Zip			Country
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name			Middle Initial		Family Name			Suffix
Inventor's Signature						Date		
Residence: City			State		Country			Citizenship
Mailing Address								
Mailing Address								
City			State		Zip			Country
<input type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto								